

OGC HAS REVIEWED.

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17 July 1951

MEMORANDUM FOR: Chief, Personnel Procurement Division

SUBJECT: PPD Memorandum No. 20-51,
"Signature on Correspondence"

1. The use of a pseudonym under the circumstances set forth in Memorandum No. 20-51, is not specifically prohibited by law. There is, however, the following statute which technically could be applied to the situation.

"Whoever being an officer, * * * or other employee of the United States or any of its agencies charged with the duty of keeping * * * records of any kind, with intent to deceive or mislead, * * * makes in any such * * * record any false or fictitious entry or record of any matter relating to or connected with his duties; * * * shall be fined not more than \$5,000.00 or imprisoned not more than 10 years, or both."

2. Obviously, this statute aims to prevent injury from use of fictitious entries on records whereas I assume you intend what might be called an innocent deception. However, since you do intend to deceive, you are technically within the meaning of the statute however innocent your motive.

3. The possibilities of any prosecution under these circumstances would be extremely remote, but in the event someone wished to prosecute, the person who authorized use of the pseudonym would be responsible.

/s/
LAWRENCE R. HOUSTON
General Counsel

NOTE: COPY made from shorthand notes as all copies were hand-carried out of the office by Mr. Houston to [REDACTED]

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STATINTL